

**REPORT - PLANNING COMMISSION MEETING**  
**June 12, 2003**

**Project Name and Number:** Alder Villas Windows Planned District Minor Amendment (PLN2003-00267)

**Applicant:** Michael Abdollahi, Rockwell Homes, Inc.

**Proposal:** To consider a Planned District Minor Amendment to allow the substitution of vinyl windows and miscellaneous interior upgrades for the originally approved wood windows of the Alder Villas development (P-2000-352).

**Recommended Action:** Deny the proposed amendment.

**Location:** 36423, 36361 Fremont Boulevard and 4075 Alder Avenue in the Centerville Planning Area

**Assessor Parcel Number(s):** 501-0044-006-02, 502-0044-009-00, 502-0044-007-03

**Area:** 2.03 acres

**Owner:** Rockwell Homes, Inc.

**Agent of Applicant:** Roger Shanks, Bunton Clifford Associates

**Consultant(s):** Bunton Clifford Associates

**Environmental Review:** This project is categorically exempt from CEQA review per Section 15301, Existing Facilities.

**Existing General Plan:** Medium Density Residential, 11-15 units/acre

**Existing Zoning:** P-2000-352, Residential Planned District

**Existing Land Use:** Site is under construction for the previously approved project.

**Public Hearing Notice:** Public hearing notification is applicable. A total of 131 notices were mailed to owners and occupants of property within 300 feet of the site. The notices to owners and occupants were mailed on June 2, 2003. A Public Hearing Notice was delivered to The Argus on May 28, 2003, to be published by June 2, 2003.

**Executive Summary:** The Planning Commission recommended approval of this development project at its July 12, 2001 meeting. The City Council approved the project at its July 24, 2001 meeting. At both hearings (minutes enclosed), the applicant requested that Condition of Approval C-2, which required the use of metal clad wood windows, be removed. The project was ultimately approved with the condition remaining. The applicant is now requesting that the Planning Commission again reconsider this requirement. Because the applicant has previously requested, and failed to obtain, City Council approval to remove this condition, staff recommends that the Planning Commission deny the proposed amendment.

**Background and Previous Actions:** The Planning Commission recommended approval of this development project at its July 12, 2001 meeting. The City Council approved the project at its July 24, 2001 meeting. As detailed in the enclosed Planning Commission and City Council minutes and City Council stenocaptioner notes, the applicant requested removal of this condition at both meetings. Both times, the condition was explicitly retained. A Tentative Tract Map was subsequently submitted and approved, and the project site is currently under construction.

**Project Description:** The applicant is proposing to substitute high quality vinyl windows as well as provide upgraded interior finishes (sinks, counters, flooring, etc.) instead of the originally approved wood windows. In the applicant's

justification statement, the additional costs of the wood windows is cited as a concern, especially when the applicant believes that that same cost could be used for upgrades which would be more accessible to and more valued by future residents. Therefore, the applicant is requesting to substitute high quality vinyl windows for the wood windows, as well as provide upgraded sinks, countertops, flooring, and faucets.

The applicant has further stated that due to the fact that the wood windows are located primarily on second and third floors, they would not have greatly added to the project as viewed from the exterior. Additionally, the applicant has stated that residents will have greater long-term maintenance costs with wood windows versus vinyl.

#### **Project Analysis:**

- **General Plan Conformance:** The existing General Plan land use designation for the project site is Medium Density Residential, 11-15 dwelling units per acre. The development is in conformance with applicable General Plan requirements. The proposed architectural modifications do not affect overall conformance of the project with these requirements.
- **Planned District Justification and Zoning Analysis:** Section 8-21811(d) of the Fremont Municipal Code (FMC) states:

*Standards for area, coverage, density, yard requirements, parking and screening for P district uses most similar in nature and function to the proposed P district, as determined by applicable ordinances and laws of the City [i.e. R-G – Garden Apartment Residence]. Exceptions to these standards by the planning commission and the city council are possible when these bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the total proposed development or unit thereof.* [Emphasis added]

Planned District Findings required by Section 8-21813 of the FMC that are applicable to this proposal include:

- (b) *Each individual unit of development, as well as the total development can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under another zoning district.*
- (e) *Any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the precise site plan, in accord with adopted policy of the Planning Commission and City Council.* [Emphasis added]

The City Council has also adopted a Development Policy for Planned Districts (Resolution Number 7394) that outlines the following objectives and principles:

- 3. *To encourage the creation of a desirable visual character in the City.*
- 5. *Planned District applications shall be characterized by superior architectural treatment and site plan...*

The project was originally approved with wood windows because staff, the Planning Commission, and the City Council all found that the wood windows would help to effect an overall desirable living environment and create an attractive overall development, especially given the high quality of the project architecture. The wood windows were used as part of the project justification for the original Planned District, because the applicant requested exceptions to certain standards that were “warranted by the design and amenities” (including the windows) of the project. Staff recommends that, if vinyl windows are substituted for the wood windows, there should be a corresponding exterior design enhancement or other community benefit approved, and not upgraded interior improvements that only provide private benefit.

The applicant has referenced the recently approved Brookvale Villas project (PLN2002-00339) located approximately 3,000 feet north of this project site, which was approved with essentially the same architecture as that of Alder Villas. Brookvale Villas was proposed and approved with vinyl windows. However, Brookvale Villas also included ten percent of the units as affordable (one unit of the twelve unit development total). This helped Brookvale Villas meet other applicable standards, such as Objective 8 of the Development Policy for Planned Districts, "to provide a vehicle for encouraging development of a mixture of housing types in order to improve the housing supply and opportunity for social interaction among different income groups".

- **Architecture:** The approved project consists of a contemporary version of the craftsman style for the townhouse-style units. The classical craftsman style, derived from the arts and crafts movement in architecture, originated in Southern California in the early 1900's and rapidly spread throughout the country. Craftsman style house construction reached its highest levels from 1905 through the 1920's, and included such details as low pitched, gabled and/or hipped roofs with wide, unenclosed eave overhangs, exaggerated exposed rafters, beams, and braces, incorporation of porches and balconies, and emphasized structural systems and details.

The contemporary craftsman style of this project incorporates many of the features of the classical craftsman style while using modern materials and details. The project incorporates large patios on one product type, which also helps to tie the project to the streets, and large upper balconies/decks on the other. Natural wood railings, brackets and braces, and posts are incorporated, and are proposed to be painted, giving them a more modern appearance. The exterior of the buildings is proposed to be a combination of stucco and hardiplank horizontal lap siding, with raised trim at the windows. The overall forms of the structures also include a large amount of detailing, variation, and articulation at all elevations, which will provide interesting views from all angles while also breaking up the massing of the structures. Asphalt shingles are proposed for the roofing material.

The proposed change from wood windows to vinyl would affect the exterior architecture of the site, as discussed previously. Although the proposed vinyl windows are of a high quality, they are not of as high a quality as the wood windows originally approved, and staff does not believe that adequate justification for such a change has been provided. Therefore, staff recommends the applicant propose an alternate public benefit or amenity that will be of value to the neighborhood and City as a whole, rather than the proposed interior upgrades.

**Environmental Analysis:** This project is categorically exempt from CEQA review per Section 15301, Existing Facilities.

**Response from Agencies and Organizations:** No outside response or comment had been received at the time of publication of this report.

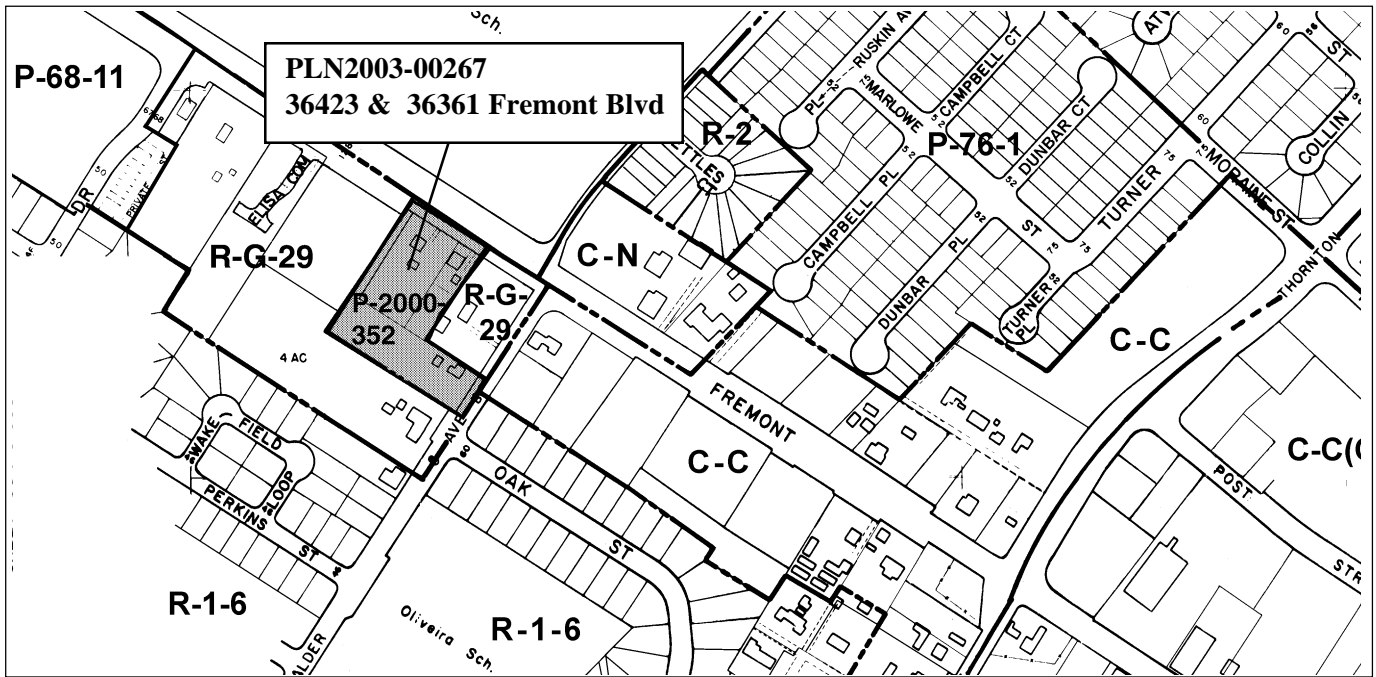
**Enclosures:** Exhibit "A" Site and Architecture Plans  
Applicant's Justification Statement (Informational)  
Planning Commission Minutes – July 12, 2001 (Informational)  
City Council Minutes – July 24, 2001 (Informational)  
City Council Stenocaptioner Notes – July 24, 2001 (Informational)

**Exhibits:** Exhibit "A" Site and Architecture Plans  
Exhibit "B" Color and Material Sample Board

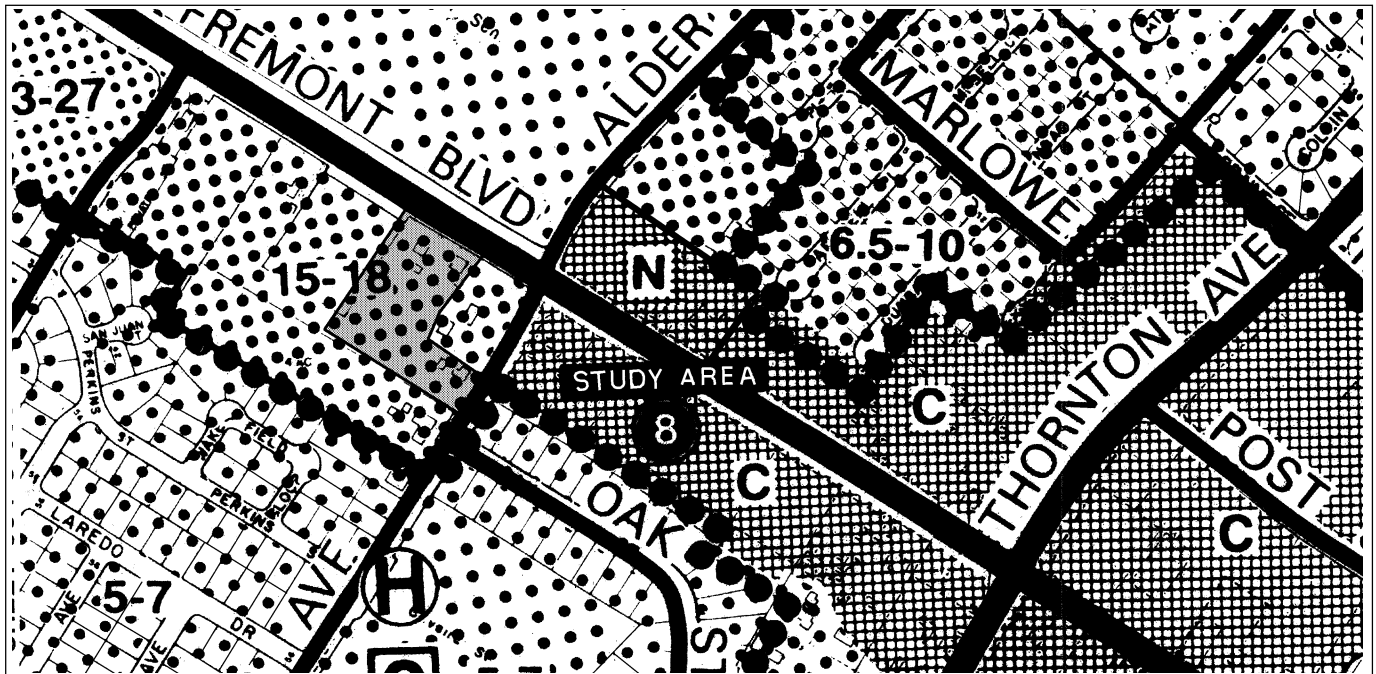
**Recommended Actions:**

1. Hold public hearing.
2. Deny the proposed amendment.

# INFORMATIONAL



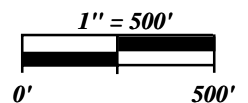
Existing Zoning



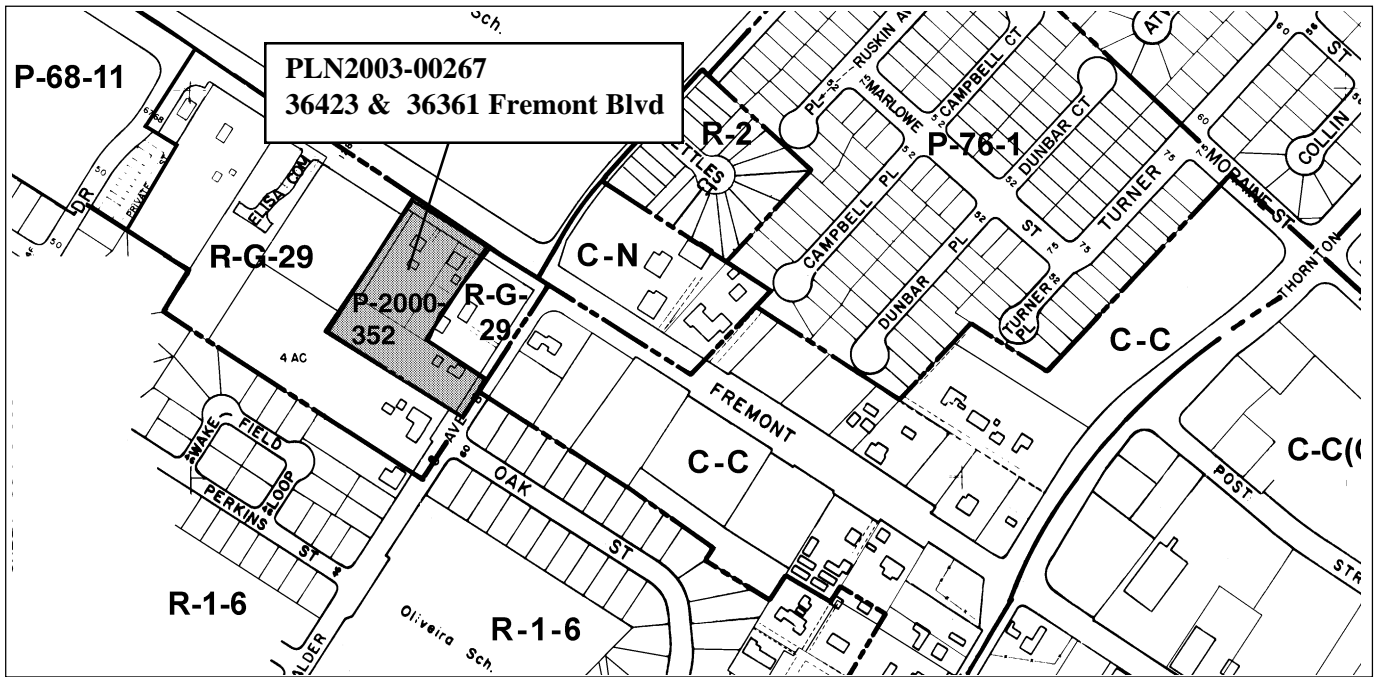
Existing General Plan

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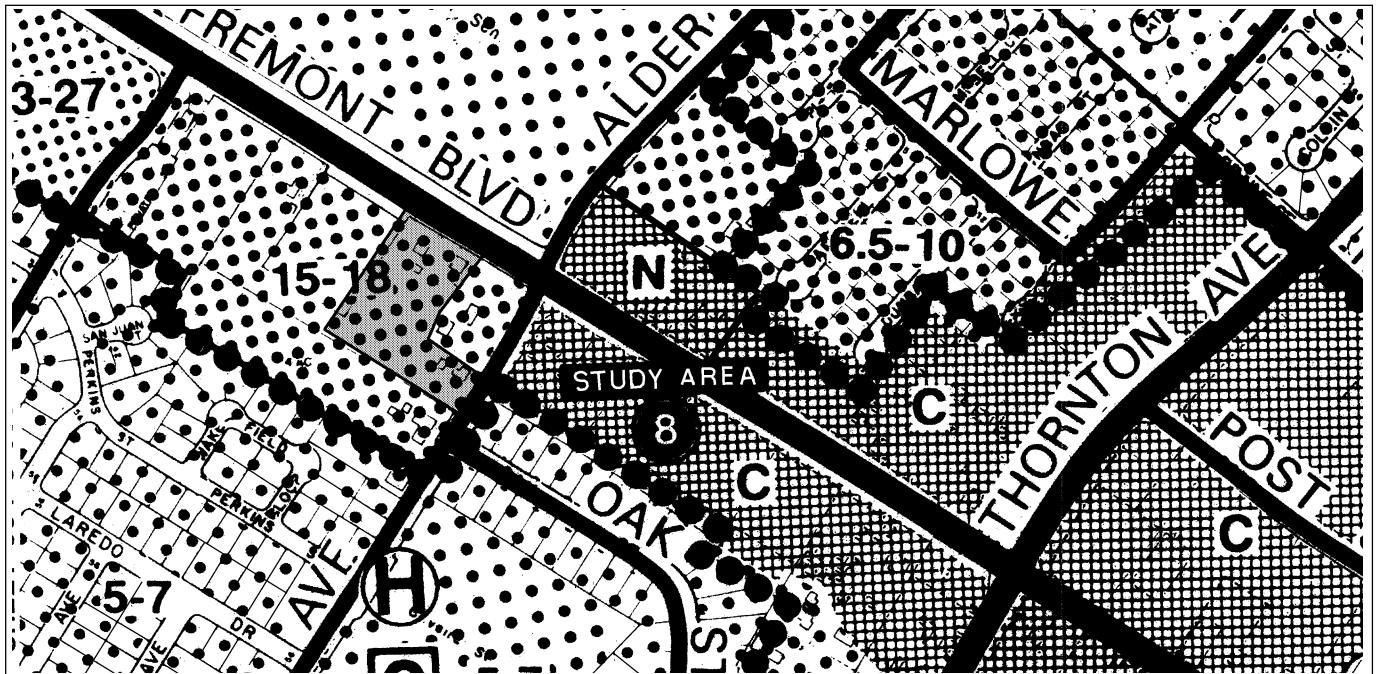
**Note:** Prior arrangements for access are not required for this site.



# INFORMATIONAL



Existing Zoning



Existing General Plan

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1" = 500'  
 0' 500'